## UNITED STATES DEPARTMENT OF JUSTICE EXECUTIVE OFFICE FOR IMMIGRATION REVIEW OFFICE OF THE CHIEF ADMINISTRATIVE HEARING OFFICER

ANALES CHARES OF AMERICA	)	
UNITED STATES OF AMERICA,	)	0.77.0.0.0.100.1.0.0.1
Complainant,	)	8 U.S.C. § 1324a Proceeding
	)	
V.	)	OCAHO Case No. 97A00063
	)	
G & R SPECIALTIES, INC.,	)	Judge Robert L. Barton, Jr.
Respondent.	)	
-	)	

## ORDER DISMISSING PROCEEDING

(May 6, 1997)

Both parties have moved to dismiss this action, because they have entered into a Settlement Agreement which disposes of all the issues in this case and have agreed to the dismissal of the action. The parties have attached the Settlement Agreement to the motion to dismiss.

The OCAHO Rules of Practice and Procedure provide that when parties or their authorized representatives enter into a proposed settlement agreement, they may submit to the Judge either a proposed agreement containing consent findings and a proposed decision and order or notify the Judge that the parties have reached a full settlement and have agreed to the dismissal of the action. 28 C.F.R. § 68.14(a).

In this case, the parties have not submitted consent findings. However, the parties have reached a full settlement and, as part of the settlement, Respondent has agreed to waive its request for hearing before an Administrative Law Judge. See ¶ 7 of the Settlement Agreement. Therefore, pursuant to 28 C.F.R. § 68.14(a)(2), the Motion to Dismiss is granted, and this case is dismissed with prejudice.

ROBERT L. BARTON, JR.
ADMINISTRATIVE LAW JUDGE
CERTIFICATE OF SERVICE

Dismissing Proceeding on the following persons at the addresses shown by first class mail, unless otherwise noted:

Soni Sinha Assistant District Counsel Immigration and Naturalization Service P.O. Box 2669 New York, NY 10008-2669 (Counsel for Complainant)

Myron Wagmeister, Vice President G & R Specialties, Inc. 307 West 36th Street, 5th Floor New York, NY 10018-9999 (Respondent)

Harry A. De Mell, Esq. 150 Broadway, Suite 1700 New York, NY 10038 (Counsel for Respondent)

Dea Carpenter Associate General Counsel Immigration and Naturalization Service 425 "I" Street, N.W., Room 6100 Washington, D.C. 20536-9999

Office of the Chief Administrative Hearing Officer Skyline Tower Building 5107 Leesburg Pike, Suite 2510 Falls Church, VA 22041 (Hand Delivered)

\_\_\_\_\_

Linda Hudecz
Legal Technician to Robert L. Barton, Jr.
Administrative Law Judge
Office of the Chief Administrative Hearing Officer
5107 Leesburg Pike, Suite 1905
Falls Church, VA 22041
Telephone No.: (703) 305-1739

FAX NO.: (703) 305-1515